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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,647	02/19/2002	Jeffrey L. Sears	P05466US0 and 096-01-0411	6710
27139	7590	08/11/2004	EXAMINER	
MCKEE, VOORHEES & SEASE, P.L.C. ATTN: MAYTAG 801 GRAND AVENUE, SUITE 3200 DES MOINES, IA 50309-2721			STINSON, FRANKIE L.	
			ART UNIT	PAPER NUMBER
			1746	

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/078,647

Applicant(s)

SEARS

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/19/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Beldham or Japan 8-229292 in view of either Belgium 886,373 or Burrows.

Re claim 1 and 9, Beldham and Japan'292 disclose a washing machine/method comprising a tub for holding laundry (typical), a detergent reservoir (S1-S4 in Beldham; 13 in Japan'292), a control panel to control the operation on the machine, a monetary payment means (not shown) to sense payment, operatively connected to the control panel, and a pump means to automatically pump detergent from the reservoir to the tub, that differs from the claim only in the recitation of the selection of a quantity of detergent corresponding to the monetary payment. The patents to Belgium'373 and Burrows (see col. 1, lines 26-31) disclosed in a coin-operated dispensing device, that it is old and well known to provide an arrangement of dispensing a selected product quantity/volume corresponding to the payment or money deposited. It therefore would have been obvious to one having ordinary skill in the art to modify the device of either Beldham or Japan'292 to have the quantity/volume of selected detergent pumped to the washing machine, correspond to the payment as taught by either Belgium'373, for the purpose of ensuring that the consumer/user gets the proper amount of detergent for the proper payment and for the amount of the load being treated. Re claim 2, Beldham and

Japan'292 disclose the payment made with coins. Re claims 4 and 14, Beldham and Japan'292 disclose the selected quantity being less than the volume of the reservoir. Re claim 5, Beldham and Japan'292 disclose the pumping of the detergent. Re claim 6-8, to make a second payment for a second additive is deemed to be an obvious extension of the teachings of either Beldham or Japan'292, in that it is inherent to employ a plurality of additives to the laundry, all of which must be measured. Re claims 10 and 11, since Beldham and Japan'292 each employ a coin-activated washing machine, the coin/currency sensor is deemed to be inherent. This is also applicable to the coin-operated switch as claimed in claim 13. Re claim 15, Beldham and Japan'292 disclose the additive pump and the transfer of additive corresponding to the monetary payment as proposedly modified.

3. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claims 1 and 9 above, and further in view of UK 2,234,837.

Claims 3 and 12 define over the applied prior art only in the recitation of the payment being made with a debit card. Although consider to be a substitution of equivalents (as per MPEP 2144.06), UK'837 discloses that it old and well known to employ either coins or debiting cards for payment (see page 8, last paragraph). It therefore would have been obvious to one having ordinary skill in the art to modify the device of either Beldham or Japan'292, to have the payment made via a debit card as taught by UK'837, since this is consider to be the substitution of equivalents.

4. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hughes, Mills, Thurman, Japan'996, Smith and Edwards, note the dispensing means.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached M-F from 5:30 a.m. to 2:00 p.m. and some Saturdays from 5:30 a.m. to 11:30 a.m.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to TECHNOLOGY CENTER 1700 (571) 272-1700.

Any inquiry for missing parts of this Office Action (copies of references, pages, forms etc.), contact the TEAM LEADER Ms. Nicol Scott (571) 272-1045.

fls



FRANKIE L. STINSON
Primary Examiner
Art Unit 1746